

REMARKS

Rejection Under the Judicially Created Doctrine of Obviousness-Type Double Patenting

In the April 30, 2004 Office Action, claims 47-75 were rejected under judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 20-35 of U.S. Patent No. 5,807,858. The rejection of claims 47-75 with respect to U. S. Patent No. 5,807,858 has been obviated by the terminal disclaimer enclosed herewith, terminally disclaiming the terminal portion of the term of any patent granted on this application that extends beyond the terms of U.S. Patent Nos. 5,807,858.

Fee Payable

The amount of \$110.00 as the fee specified in 37 CFR §1.20 for the filing of this Terminal Disclaimer is enclosed in the form of a credit card payment form in payment of the fee. The U.S. Patent and Trademark Office is hereby authorized to charge any additional amount necessary to the entry of this amendment, and to credit any excess payment, to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

Conclusion

Applicants have satisfied all the requirements for patentability. All pending claims are free of the art and fully comply with the requirements of 35 U.S.C. §112. It therefore is requested that Examiner Weddington reconsider the patentability of claims 47-75 in light of the distinguishing remarks herein and withdraw all rejections, thereby placing the application in condition for allowance. Notice of the same is earnestly solicited. In the event that any issues remain, Examiner Weddington is requested to contact the undersigned attorney at (919) 419-9350 to resolve same.

Respectfully submitted,


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